

Landscape Referral Response

Application Number:	DA2020/0126
Date:	17/09/2020
Responsible Officer:	Catriona Shirley
Land to be developed (Address):	Lot 1 DP 555814 , 173 Seaforth Crescent SEAFORTH NSW 2092

Reasons for referral

This application seeks consent for the following:

- Construction / development works within 5 metres of a tree or
- New residential works with three or more dwellings. (RFB's, townhouses, seniors living, guesthouses, etc). or
- Mixed use developments containing three or more residential dwellings.
- New Dwellings or

Officer comments

The development application is for the construction of alterations and additions to an existing dwelling. A new driveway will provide access from Seaforth Crescent to a new garage.

The development application is assessed by Council's Landscape Referral section against the landscape controls of Manly DCP 2013, section 3: General Principles of Development, and section 4: Development Controls and Development Types.

A Arboricultural Impact Assessment prepared by RainTree Consulting is submitted with the application in accordance with DA Lodgement Requirements. No significant vegetation occurs within the site which contains Exempt species by height or by species type that do not require Council consent for removal. Street trees of significance with high retention values exist within the road verge, including tree 1 (Jacaranda) tree 2 (Angophora) and tree 3 (Angophora), providing valuable streetscape amenity. All three street trees are to be retained and protected, with the recommendations of the Arboricultural Impact Assessment report to be incorporated to ensure the protection of tree 3. Conditions of consent shall be imposed on the driveway design to permit the retention of tree 3.

A Landscape Plan is submitted with the application proposing palm planting and low height groundcovers and accents along the rear boundary, and low height groundcover and accent planting elsewhere. The design is inadequate in the selection of proposed planting that is unable to provide residential privacy amenity to adjoining properties and conditions of consent shall be imposed to replace the selected planting scheme with appropriate species.

Subject to the imposition of conditions of consent to satisfy the landscape controls of the Manly DCP, the landscape outcome is supported.

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Landscape Conditions:

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

Tree Root Investigation and Tree Root Map

Prior to the issue of a Construction Certificate, a tree root mapping investigation within the tree protection zone of the existing Angophora identified as tree 3 in the Arboricultural Impact Assessment, shall be undertaken and a Tree Root Map shall be documented that will be the basis for determining construction methodology to be utilised for the proposed suspended driveway.

An Arborist with minimum AQF Level 5 in arboriculture shall supervise the investigation works to verify tree root locations. A non-destructive root investigation shall be conducted complying with clause 3.3.4 of AS 4970-2009 Protection of Trees on Development Sites.

The root investigation shall map existing roots of significance that must not be impacted by construction works. The tree root investigation shall be conducted to confirm the following data to be used for the location/alignment of the proposed suspended driveway:

- i) confirmation of the location of any tree roots at or >25mm (Ø) diameter to areas that require excavation for proposed works. Alternative alignment of proposed works shall be provided as necessary to avoid major roots, and
- ii) mapping of the suitable location/alignment of pier footings to support the proposed suspended driveway.

The Tree Root Map shall be issued to the qualified Structural Engineer as a basis for structural design, and for determining the final location/alignment and construction methodology of proposed works within the tree protection zone (TPZ).

Reason: ensure protection of existing trees.

Suspended pier footing design for driveway near existing Angophora

- a) The Pier Footing Structural Layout and Design Plan for the proposed suspended driveway shall be developed in co-ordination with an Arborist with AQF minimum Level 5 qualifications in arboriculture, and a qualified Structural Engineer.
- b) The Arborist shall review, comment, recommend design revision as required and approve the pier footing layout, to ensure the locations of piers will be manageable in terms of tree protection measures to preserve the tree roots of the existing Angophora identified as tree 3 in the Arboricultural Impact Assessment.
- c) The Arborist shall submit certification to the Certifying Authority, that the locations of the pier footings are accepted.
- d) The agreed Pier Footing Structural Layout and Design Plan shall be submitted to the Certifying Authority for approval prior to the issue of a Construction Certificate.

Reason: tree protection.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO ANY COMMENCEMENT

Tree removal within the property

This consent approves the removal of the following trees within the property (as recommended in the Arboricultural Impact Assessment):

- tree 8 (Coopers Tree Fern)
- tree 9 (Coopers Tree Fern)

The following Exempt Species do not require Council consent for removal:

- tree 7 (Traveller's Palm), tree 10 (Lemon), tree 11 and 13 (Evergreen Elder), tree 12 (Golden Cane Palm), tree 14 and 18 (Cocus Palm), tree 15 and 16 (Alexander Palm), and tree 17 (Kentia Palm)

Reason: to enable authorised building works

Note: Any request to remove a tree approved for retention under the development application is subject to a Section 4.55 modification application, or an assessment by an Arborist with minimum AQF Level 5 in arboriculture that determines that the tree presents an imminent risk to life or property.

Project Arborist

A Project Arborist with minimum AQF Level 5 in arboriculture shall be engaged to provide tree protection measures in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites.

The Project Arborist is to specify and oversee all tree protection measures such as tree protection fencing, trunk and branch protection, ground protection, as well as the pier footing locations for the suspended driveway.

The Project Arborist is to supervise all demolition, excavation and construction works near all trees to be retained, including construction methods near the existing trees to protect tree roots, trunks, branches and canopy. Where required, manual excavation is to occur ensuring no tree root at or >25mm (Ø) is damaged by works, unless approved by the Project Arborist.

The Project Arborist shall be in attendance and supervise all works as nominated in the Arboricultural Impact Assessment or as imposed by conditions of consent, including:

- i) excavation and construction works near tree 3 Angophora in accordance with the approved Pier Footing Structural Layout and Design Plan,
- ii) section 2.2 Recommended tree management & protection principles, listed in the Arboricultural Impact Assessment, clauses 2.2.1 and 2.2.2.

All tree protection measures specified must:

- a) be in place before work commences on the site, and
- b) be maintained in good condition during the construction period, and
- c) remain in place for the duration of the construction works.

The Project Arborist shall provide certification to the Certifying Authority that all recommendations listed above in items i) and ii), for the protection of the existing tree(s) have been carried out satisfactorily to ensure no impact to the health of the tree(s). Photographic documentation of the condition of all trees to be retained shall be recorded, including at commencement, during the works and at completion.

Note: A separate permit or development consent may be required if the branches or roots of a protected tree on the site or on an adjoining site are required to be pruned or removed.

Reason: tree protection.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Tree and vegetation protection

- a) Existing trees and vegetation shall be retained and protected, including:
 - i) all trees and vegetation located on adjoining properties,
 - ii) all road reserve trees and vegetation.

b) Tree protection shall be undertaken as follows:

- i) tree protection shall be in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites, including the provision of temporary fencing to protect existing trees within 5 metres of development,
- ii) existing ground levels shall be maintained within the tree protection zone of trees to be retained, unless authorised by an Arborist with minimum AQF Level 5 in arboriculture
- iii) removal of existing tree roots at or >25mm (Ø) diameter is not permitted without consultation with an Arborist with minimum AQF Level 5 in arboriculture,
- iv) no excavated material, building material storage, site facilities, nor landscape materials are to be placed within the canopy dripline of trees and other vegetation required to be retained,
- v) structures are to bridge tree roots at or >25mm (Ø) diameter unless directed by an Arborist with minimum AQF Level 5 in arboriculture on site,
- vi) excavation for stormwater lines and all other utility services is not permitted within the tree protection zone, without consultation with an Arborist with minimum AQF Level 5 in arboriculture including advice on root protection measures,
- vii) should either or all of v), vi) and vii) occur during site establishment and construction works, an Arborist with minimum AQF Level 5 in arboriculture shall provide recommendations for tree protection measures. Details including photographic evidence of works undertaken shall be submitted by the Arborist to the Certifying Authority,
- viii) any temporary access to, or location of scaffolding within the tree protection zone of a protected tree or any other tree to be retained during the construction works is to be undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of Australian Standard 4970-2009 Protection of Trees on Development Sites,
- ix) the activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites shall not occur within the tree protection zone of any tree on the lot or any tree on an adjoining site
- x) tree pruning from within the site to enable approved works shall not exceed 10% of any tree canopy, and shall be in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees.
- xi) the tree protection measures specified in this clause must: i) be in place before work commences on the site, and ii) be maintained in good condition during the construction period, and iii) remain in place for the duration of the construction works.

c) Tree protection shall specifically be undertaken in accordance with the recommendations in the Arboricultural Impact Assessment prepared by Rain Tree Consulting.

The Certifying Authority must ensure that:

- d) The activities listed in section 4.2 of Australian Standard 4970-2009 Protection of Trees on Development Sites, do not occur within the tree protection zone of any tree, and any temporary access to, or location of scaffolding within the tree protection zone of a protected tree, or any other tree to be retained on the site during the construction, is undertaken using the protection measures specified in sections 4.5.3 and 4.5.6 of that standard.

Note: All street trees within the road verge and trees within private property are protected under Northern Beaches Council development control plans, except where Council's written consent for removal has been obtained. The felling, lopping, topping, ringbarking, or removal of any tree(s) is prohibited.

Reason: tree and vegetation protection.

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

Landscape completion

Landscaping is to be implemented in accordance with the following conditions:

- i) the rear boundary shall contain 5 small trees (*Elaeocarpus reticulatus* or any other selected native tree(s) listed in the Tree Guide on Council's website), evenly spaced within a garden bed along the boundary, and planted at a minimum 75 litre container size,
- ii) along the rear boundary, in between the small tree planting, screen planting of selected shrub species capable of attaining a height of 3 metres at maturity, shall be installed at minimum 1 metre intervals and be of a minimum container size of 200mm at planting in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- iii) planting as shown on Plan 07 along the boundary as screening trees shall be selected shrub species capable of attaining a height of 3 metres at maturity, shall be installed at minimum 1 metre intervals and be of a minimum container size of 200mm at planting in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch,
- iv) all planters shall consist of low height shrub, accent and groundcover planting,
- v) all other landscape areas shall be either lawn or prepared garden beds containing a range of shrubs, accents and groundcovers.

Prior to the issue of an Occupation Certificate, a landscape report prepared by a landscape architect or landscape designer shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: environmental amenity.

Condition of retained vegetation - Project Arborist

Prior to the issue of an Occupation Certificate, a report prepared by the project arborist shall be submitted to the Certifying Authority, assessing the health and impact on all existing trees required to be retained, including the following information:

- a) compliance to any Arborist recommendations for tree protection generally and during excavation works,
- b) extent of damage sustained by vegetation as a result of the construction works,
- c) any subsequent remedial works required to ensure the long term retention of the vegetation.

Reason: tree protection.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

Landscape maintenance

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilized as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan.

Reason: to maintain local environmental amenity.